

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
Asheville Division**

UNITED STATES OF AMERICA)
)
)
v.) **Criminal No. 1:07cr122**
)
BOBBY LEE MEDFORD)

ORDER

The matter is before the Court on defendant's motion to strike the previously-imposed requirement that he make payments toward his court appointed counsel's fees at the rate of \$750.00 per month, which motion was made orally in the course of the sentencing hearing on October 10, 2008.

For good cause, it is hereby **ORDERED** that this matter is **REFERRED** to Magistrate Judge Dennis L. Howell for a prompt hearing and preparation of a report and recommendation on this issue, pursuant to 28 U.S.C. § 636(b)(1)(B),¹ *nunc pro tunc* November 18, 2008.²

The Clerk is directed to send a copy of this Order to all counsel of record.

/s/

Alexandria, VA
March 16, 2009

T. S. Ellis, III
United States District Judge

¹ That statute provides, in pertinent part, that

a judge may also designate a magistrate judge to conduct hearings, including evidentiary hearings, and to submit to a judge of the court proposed findings of fact and recommendations for the disposition, by a judge of the court, of any...applications for posttrial relief made by individuals convicted of criminal offenses...

28 U.S.C. § 636(b)(1)(B).

² A written order inadvertently was not entered at the time the matter was referred to the Magistrate Judge.